

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEREMY DANIEL MANNING,

Defendant.

CASE NO. 2:22-cr-00121-LK

ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL
DATE AND EXTEND PRETRIAL
MOTIONS DEADLINE

This matter comes before the Court on Defendant Jeremy Daniel Manning’s Unopposed Motion and Declaration to Continue Pretrial Motions Cutoff Date, to Set a Pretrial Conference and to Continue Trial Date. Dkt. No. 43. Mr. Manning seeks to continue the trial date from January 29, 2024 to August 19, 2024, and to continue the pretrial motions deadline from December 13, 2023 to July 8, 2024. *Id.* at 2–3. The Government does not oppose the motion. *Id.* at 3.

Mr. Manning is charged with one count of Possession of Child Pornography in violation of 18 U.S.C. § 2252(a)(4)(B) and (b)(2). Dkt. No. 12 at 1–2.

Mr. Manning requests a new trial date of August 19, 2024 because his counsel “has just been appointed and has been in trial since September 18, 2023, which trial is expected to last until

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1 early-December, 2023.” Dkt. No. 43 at 2; *see also* Dkt. No. 40 (Mr. Manning’s current counsel
2 was appointed on November 14, 2023). In light of those facts, and his other trial commitments
3 between now and July 2024, “counsel needs additional time to meet with [Mr. Manning], to
4 receive, and review the discovery and to properly prepare motions on Mr. Manning’s behalf.” *Id.*
5 at 2–3. Mr. Manning has waived his speedy trial rights through September 2024. Dkt. No. 44 at
6 1–2.

7 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by
8 granting a continuance outweigh the best interest of the public and Mr. Manning in any speedier
9 trial. Specifically, the Court finds that failure to grant the requested continuance would likely result
10 in a miscarriage of justice and would deny defense counsel the reasonable time necessary for
11 effective preparation, taking into account the exercise of due diligence, due to counsel’s current
12 trial schedule and his need for more time to meet with Mr. Manning, receive and review the
13 discovery, and to prepare motions on Mr. Manning’s behalf. *See* 18 U.S.C. § 3161(h)(7)(B)(i),
14 (iv). The Court finds that the additional time requested is a reasonable period of delay and will be
15 necessary to provide counsel and Mr. Manning reasonable time to accomplish the above tasks.

16 For these reasons, the Court GRANTS the motion, Dkt. No. 43, and ORDERS that the trial
17 date shall be continued from January 29, 2024 to August 19, 2024, and the pretrial motions
18 deadline shall be continued from December 13, 2023 to July 8, 2024. It is further ORDERED that,
19 pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B), the period of delay from the date of this Order to

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1 the new trial date is EXCLUDED when computing the time within which Defendant's trial must
2 commence under the Speedy Trial Act.

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4 Dated this 8th day of December, 2023.

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Lauren King
7 United States District Judge
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